# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/765,028 | 01/17/2001 | Andrew J. Hirsch | NC25587 | 8883 |

| | | |
|---|---|---|
| 23860 | 7590 | 12/15/2004 |

BRIAN T. RIVERS
NOKIA INCORPORATED
6000 CONNECTION DRIVE
MD 1-4-755
IRVING, TX 75039

| EXAMINER |
|---|
| NGUYEN, VAN H |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2126 | |

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | **Application No.** | **Applicant(s)** |
| *Office Action Summary* | 09/765,028 | HIRSCH, ANDREW J. |
| | **Examiner** | **Art Unit** | |
| | VAN H NGUYEN | 2126 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *25 August 2004*.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1.      Claims 1-21 are presented for examination.


2.      The cross reference related to the application cited in the specification must be updated

(i.e., update the relevant status, with PTO serial numbers or patent numbers where appropriate,

on page 1, lines 3-4). Correction is required.


### *Claim Objections*


3.      Claims 4, 12, and 13 are objected to because of the following informalities:

        (i) "an mobile network code" (claim 4, line 4 and claim 12, line 2) should read "a mobile

network code"

        (ii) "an group identifier" (claim 13, line 2) should read "a group identifier"

        Appropriate correction is required.


### *Claim Rejections - 35 USC § 103*


4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.      Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Millar** (GB

2 292 047) in view of **Gomez et al.** (U.S. 5,196,842).


6.      **As to claim 1**, Millar teaches the invention substantially as claimed including a method

for configuring a mobile station for operation (*a mobile station configuration; page 4, lines 6-9*

*and fig. 2*), the method comprising the steps of:

        - storing configuration data in a memory device in the mobile station *(page 4, lines 1-5)*,

wherein each set of configuration data defines an operating configuration for system/network

independent features on the mobile station *(page 3, lines 11-13)*; and

        - receiving identity data at the mobile station *(page 3, lines 11-16);*

        - determining, in response to receiving the identity data, a selected set of configuration

data and  configuring the mobile station for operation according to the selected set of

configuration data (*page 3, lines 21-34*).

        Millar does teach configuration data, but does not specifically teach "plural sets of

configuration data."

        Gomez teaches plural sets of configuration data (*col.3, lines 10-18*).

        It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez and Millar because Gomez *'s plural sets*

*of configuration data* would have provided the capability for efficiently configurating and

operating particular features of different systems on the mobile station.

7.      **As to claim 2**, Millar teaches receiving identity data from a subscriber identity module

inserted in the mobile station (page 3, lines 11-13 and page 4, lines 18-20).

8.      **As to claim 3**, Millar teaches the subscriber identity module comprises a Global System

for Mobile Communication subscriber identity module (page 3, lines 27-33).

9.      **As to claim 4**, Millar teaches determining, among other things, a mobile network code

from the identity data (page 4, lines 10-11), but does not specifically teach "matching the mobile

network code to a selected set of the plurality of sets of configuration data."

Gomez teaches determining matching the mobile network code to a selected set of the

plurality of sets of configuration data (col.3, lines 22-33).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez with Millar because Gomez's teachings

would have provided capability for configuring a device for different operation conditions as

indicated by identification data received by the device.

10.     **As to claim 5**, Gomez teaches determining a group identifier from the identity data; and

matching the group identifier to a selected set of the plurality of sets of configuration data (col.3,

lines 12-33).

11.     **As to claim 6**, Millar teaches receiving identity data programmed into the mobile station

upon initialization for use (page 3, lines 9-16).

12.     **As to claim 7**, Millar teaches the identity data comprises, among other things, a system

identification code (page 3, lines 11-16 and page 4, lines 7-10).

13.     **As to claim 8,** it is directed to an apparatus for performing the method of claim 1, and is

similarly rejected under the same rationale.

14.     **As to claims 9 and 10**, note the rejection of claims 6 and 7 above. Claims 9 and 10 are

the same as claims 6 and 7, except claims 9 and 10 are apparatus claims and claims 6 and 7 are

method claims.

15.     **As to claim 11**, Millar teaches a socket coupled to the input device, the socket for

receiving a subscriber identity module (page 4, lines 22-25), and wherein the identity data

received by the input device comprises subscriber identity module data (page 4, lines 17-20).

16.     **As to claims 12 and 13**, note the rejection of claims 4 and 5 above. Claims 12 and 13 are

the same as claims 4 and 5, except claims 12 and 13 are apparatus claims and claims 4 and 5 are

method claims.


17.     Claims 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Millar** (GB

2 292 047) in view of **Gomez et al.** (U.S. 5,196,842) and further in view of **Applicant Admitted**

**Prior Art** (APA).


18.     **As to claim 14**, Millar teaches the invention substantially as claimed including a method

for configuring a mobile station for operation (*a mobile station configuration; page 4, lines 6-9*

*and fig. 2*), the method comprising the steps of:

        - storing configuration data in a memory device in the mobile station *(page 4, lines 1-5)*,

wherein each set of configuration data defines an operating configuration on the mobile station

*(page 3, lines 11-13)*; and

        - receiving identity data at the mobile station *(page 3, lines 11-16);*

- determining, in response to receiving the identity data, a selected set of configuration

data and configuring the mobile station for operation according to the selected set of

configuration data (*page 3, lines 21-34*).

Millar does teach configuration data, but does not specifically teach "plural sets of

configuration data."

Gomez teaches plural sets of configuration data (*col.3, lines 10-18*).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez and Millar because Gomez's plural sets

of configuration data would have provided the capability for efficiently configuring and

operating particular features of different systems on the mobile station.

The combination of Millar and Gomez does not specifically teach "wake-up graphics".

APA teaches wake-up graphics (page 1, line 19).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of APA with and Millar as modified by Gomez

because APA's wake-up graphics would have provided the capability for determining if data

from the mobile station is pending, and notifying the network that it is willing to receive pending

data.

19.      **As to claim 15,** Millar teaches the invention substantially as claimed including a method

for configuring a mobile station for operation (*a mobile station configuration; page 4, lines 6-9*

*and fig. 2*), the method comprising the steps of:

- storing configuration data in a memory device in the mobile station *(page 4, lines 1-5)*,

wherein each set of configuration data defines an operating configuration on the mobile station

*(page 3, lines 11-13)*; and

- receiving identity data at the mobile station *(page 3, lines 11-16);*

- determining, in response to receiving the identity data, a selected set of configuration

data and  configuring the mobile station for operation according to the selected set of

configuration data *(page 3, lines 21-34)*.

Millar does teach configuration data, but does not specifically teach "plural sets of

configuration data."

Gomez teaches plural sets of configuration data *(col.3, lines 10-18)*.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez and Millar because Gomez's plural sets

of configuration data would have provided the capability for efficiently configuring and

operating particular features of different systems on the mobile station.

The combination of Millar and Gomez does not specifically teach "hiding or displaying

menu items".

APA teaches hiding or displaying menu items (page 1, lines 19-20).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of APA with and Millar  as modified by Gomez

because APA's hiding or displaying control menu items would have provided the capability for

promoting the user of the mobile station to carry out a selection operation, and allowing desirable

content data to be acquired.

20.     **As to claim 16**, Millar teaches the invention substantially as claimed including a method

for configuring a mobile station for operation (*a mobile station configuration; page 4, lines 6-9*

*and fig. 2*), the method comprising the steps of:

        - storing configuration data in a memory device in the mobile station (*page 4, lines 1-5*),

wherein each set of configuration data defines an operating configuration on the mobile station

(*page 3, lines 11-13*); and

        - receiving identity data at the mobile station (*page 3, lines 11-16*);

        - determining, in response to receiving the identity data, a selected set of configuration

data and  configuring the mobile station for operation according to the selected set of

configuration data (*page 3, lines 21-34*).

        Millar does teach configuration data, but does not specifically teach "plural sets of

configuration data."

        Gomez teaches plural sets of configuration data (*col.3, lines 10-18*).

        It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez and Millar because Gomez's plural sets

of configuration data would have provided the capability for efficiently configuring and

operating particular features of different systems on the mobile station.

        The combination of Millar and Gomez does not specifically teach "subscriber identity

module lock settings".

        APA teaches subscriber identity module lock settings (page 1, line 20).

        It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of APA with and Millar  as modified by Gomez

because APA's subscriber identity module lock settings would have provided the capability for

preventing the fraudulent use of the mobile station by a person other than the user.

21.     **As to claim 17,** Millar teaches the invention substantially as claimed including a method

for configuring a mobile station for operation (*a mobile station configuration; page 4, lines 6-9*

*and fig. 2*), the method comprising the steps of:

    - storing configuration data in a memory device in the mobile station *(page 4, lines 1-5),*

wherein each set of configuration data defines an operating configuration on the mobile station

*(page 3, lines 11-13);* and

    - receiving identity data at the mobile station *(page 3, lines 11-16);*

    - determining, in response to receiving the identity data, a selected set of configuration

data and  configuring the mobile station for operation according to the selected set of

configuration data *(page 3, lines 21-34).*

    Millar does teach configuration data, but does not specifically teach "plural sets of

configuration data."

    Gomez teaches plural sets of configuration data *(col.3, lines 10-18).*

    It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Gomez and Millar because Gomez's plural sets

of configuration data would have provided the capability for efficiently configuring and

operating particular features of different systems on the mobile station.

    The combination of Millar and Gomez does not specifically teach "encryption and

decryption features".

    APA teaches encryption and decryption features (page 1, lines 20-21).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of APA with and Millar as modified by Gomez

because APA's encryption and decryption features would have provided the capability for

improving security by reducing the risk of the third party meddling with mobile station

programming.

22.     **As to claims 18-21**, note the rejection of claims 14-17 above. Claims 18-21 is the same

as claims 14-17, except claims 18-21 are apparatus claims and claims 14-17 are method claims.

### *Response to Arguments*

23.     Applicant's arguments with respect to claims 1-21 have been considered but are moot in

view of the new ground(s) of rejection.

### *Conclusion*

24.     Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

25.     A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

26.     Any inquiry concerning this communication or earlier communications from the
examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.
The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The
examiner can also be reached on alternative Friday.

27.     If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor Meng-Ai An can be reached on (571) 272-3756.

28.     The fax phone number for the organization where this application or proceeding is
assigned is 703-872-9306.

29.     Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR
system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**
Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

12/01/04
vhn

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100